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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,295	02/07/2002	Akira Jinzaki	826.1789	7086

21171 7590 10/26/2005

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EXAMINER
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HO, DUC CHI

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/067,295

Applicant(s)

JINZAKI, AKIRA

Examiner

Duc C. Ho

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-20 is/are allowed.
- 6) ☒ Claim(s) 1-2, 21, and 24 is/are rejected.
- 7) ☒ Claim(s) 3-16, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01-16-04 & 01-16-04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-2, 21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art (APA) in figure 5 of the instant application, in view of Chung (US 5,764,895-IDS).

Regarding claim 1, the APA in figure 5 of the instant application discloses an information transmission server 501-fig. 5 for broadcasting communication comprising a buffer memory 503-fig. 5(corresponding to a unit); a processor 502-fig. 5, and I/O bus 504, see specification at page 4 of the instant application.

The APA in figure 5, however, does not expressly teach a transmission unit generating a packet for each receiver based on information about a receiver.

One skill in the art would recognize the advantage of having a mechanism in which a packet generated including information about a receiver such as the receiver destination address so that the packet can be delivered to the receiver properly.

Chung discloses method and apparatus for directing data packet in a local area network device having a plurality of ports interconnected by high-speed communication bus.

In Chung the destination state machine 168-fig. 7 fetches a header for a packet to be transmitted, the header includes a network destination address corresponding to a second client

or a receiver so that the packet can be delivered to the second client properly, see col. 9-line 61 to col.10-line 48.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the APA in figure 5 with Chung.

The suggestion/motivation for doing so would have been to provide a network destination address of a receiver to a packet header for transmission to the provided destination address.

Therefore, it would have been obvious to combine the APA of fig. 5 of the instant application with Chung to obtain the invention as specified in claim 1.

Regarding claim 2, please see the rejection of claim 1. In Chung, there are a plurality of independent transmitters 15-18, fig. 1 (corresponding to a plurality of transmission units). The processor 502-fig. 5 of the APA provides the same transmission data for the plurality of transmitters 15-18, fig. 1 of Chung via the I/O bus 504-fig. 5 of the APA, where the packets in the transmission data should carry in their headers the network destination address of each receiver.

Regarding claims 21, and 24, this claim has similar limitations as claim 1. Therefore, they are rejected under the APA-Chung for the same reasons set forth in the rejection of claim 1.

#### ***Allowable Subject Matter***

3. Claims 18-20 are allowed.
4. Claims 3-16, and 22-23 are objected to as being independent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ellis (US 2003/0046417); Vasa (US 6,308,218); Aizono et al. (US 6,282,578) are cited to show broadcasting communications system, which is considered pertinent to the claimed invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner



Duc Ho

10-24-05